

State of Wisconsin



2009 Senate Bill 614

Date of enactment: **May 18, 2010**
Date of publication*: **June 1, 2010**

2009 WISCONSIN ACT 377

AN ACT to *renumber and amend* 30.29 (1); to *repeal and recreate* 30.29 (3) (title); and to *create* 30.29 (1) (a), 30.29 (1) (c), 30.29 (3) (i) and 30.29 (3m) of the statutes; **relating to**: the operation of motor vehicles on the exposed beds of outlying waters to control *Phragmites australis*.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 30.29 (1) of the statutes is renumbered 30.29 (1) (intro.) and amended to read:

30.29 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, “motor:

(b) “Motor vehicle” includes an all-terrain vehicle, as defined in s. 340.01 (2g).

SECTION 2. 30.29 (1) (a) of the statutes is created to read:

30.29 (1) (a) “Control” has the meaning given in s. 23.22 (1) (a).

SECTION 3. 30.29 (1) (c) of the statutes is created to read:

30.29 (1) (c) “Outlying waters” has the meaning given in s. 29.001 (63).

SECTION 4. 30.29 (3) (title) of the statutes is repealed and recreated to read:

30.29 (3) (title) EXEMPTIONS.

SECTION 5. 30.29 (3) (i) of the statutes is created to read:

30.29 (3) (i) *Controlling Phragmites.* A person operating a motor vehicle in compliance with sub. (3m).

SECTION 6. 30.29 (3m) of the statutes is created to read:

30.29 (3m) CONTROLLING PHRAGMITES IN OUTLYING WATERS. (a) *Requirements for exemption.* A person may operate a motor vehicle in outlying waters if the operation meets all of the following requirements:

1. The operation of the motor vehicle is for the purpose of mowing or applying a herbicide for the purpose of controlling *Phragmites australis*.
2. The operation of the motor vehicle occurs only on the exposed bed of the outlying water.
3. The operation of the motor vehicle occurs between the period beginning on July 1 of a given year and ending on March 15 of the following year.
4. The mowing or application of the herbicide interferes with or destroys native species only to the degree that is necessary to control the invasive species *Phragmites australis*.

* Section 991.11, WISCONSIN STATUTES 2007–08 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].